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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,518	08/31/2001	Janani Janakiraman	AUS920010653US1	3252
7590	12/02/2005		EXAMINER	
Robert H. Frantz P.O. Box 23324 Oklahoma City, OK 73123-2334			GARG, YOGESH C	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/944,518

Applicant(s)

JANAKIRAMAN ET AL.

Examiner

Yogesh C. Garg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 1-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Response to Amendment/Election/Restrictions***

1. Applicant's response received on 8/16/2005 is acknowledged and entered. Applicant's election without traverse of Group III, claims 22-27 in the reply filed on 8/16/2005 is acknowledged.

Claims 1-21 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8/16/2005.

Applicant has added new claims 28-39. Currently claims 22-39 are pending for examination.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.1. Claims 22, 28 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agarwal et al. (US Patent 6,108,316) hereinafter referred to Agarwal and further in view of Provance (US Patent 6,731,613).

**Regarding claim 22, Agarwal in view of Provance teaches a method for preserving battery life in a portable networked client device by restricting the types of**

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web objects received by the client device based upon battery conditions, said method comprising the steps of:

determining the condition of a battery in a networked client device; transmitting said battery condition from said networked client device to a web server (see at least Agarwal: Abstract, col.1, lines 44-67 which describes determining the battery power level of a mobile terminal and transmitting said battery condition to a base station which takes further action in response to detection of low battery power level.) ;

Agarwal does not disclose that the battery's low power level is transmitted to a web server such that selecting only essential web objects in a web page for transmission by said web server to said client device if said battery condition is low, otherwise selecting all web objects in a web page for transmission by said web server to said client device; and transmitting said selected web objects to said networked client device. However, in the same field of endeavor, that is class 370/311, Provance (see at least col.2, lines 40-col.3, line 7 & col.8, line 45-col.10, line 22 ) teaches that in response to detection of an event, such as low battery of a component in the network the packet source exercises bandwidth control mechanism to reduce the transmission of packet rate to the destination unit. The destination unit and the component with low battery in the network corresponds to a mobile terminal of Agarwal and the packet source which controls and reduces the transmission of packet rate-the transmission of data/objects, corresponds to a server which on detection of low battery in a mobile terminal can reduce the transmission of data to conserve battery power of the mobile terminal and when the transition event that is low battery power condition does not

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exist regular traffic flow of data can take place. It is well-known that mobile terminal, such as PDA, cell phones, etc. at the time of the applicant's invention receive multimedia data/web objects from web servers via Internet ). In view of Provance, it would have been obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have modified Agarwal to modify and incorporate the feature of transmitting the low battery power signal to a web server as being done now for the base station such that selecting only essential web objects in a web page for transmission by said web server to said client device if said battery condition is low, otherwise selecting all web objects in a web page for transmission by said web server to said client device; and transmitting said selected web objects to said networked client device because as disclosed in Provance it would enable the web server to reduce the transmission of data packet rate to the mobile terminal (such as PDA, Cell phone, laptop computer, etc.) to conserve the low battery power of the terminal.

Regarding claims 28 and 34, their limitations are closely parallel to the limitations of claim 22 and are therefore analyzed and rejected on the same basis.

2.2. Claims 23-27, 29-33 and 35-39 are rejected under 35 U.S.C. 103(a) as being obvious over Agarwal in view of Provance and further in view of Official Notice.

Regarding claims 23-27, 29-33 and 35-39 , Agarwal in view of Provance, as analyzed above discloses that in order to preserve battery life in a mobile terminal,

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such as PDA, Cell phone, laptop computer, etc. a signal is transmitted to a data source such as a web server to control and decrease the transmission of data, (data includes web objects) to the mobile terminal. Agarwal in view of Provance does not disclose that the data or web objects could be related to advertisement/graphical web objects/video segment & clip objects/sound and audio web objects/ multicolor web objects. The Examiner takes official notice of the notoriously well-known fact that at the time of the applicant's invention the mobile terminals such as PDA, Cell phone, laptop computer, etc. receive multimedia data/web objects from web servers on Internet including advertisement/graphical web objects/video segment & clip objects/sound and audio web objects/ multicolor web objects. In view of the Official Notice and as analyzed above, it would be obvious to one of an ordinary skilled in the art at the time of the applicant's invention to have restricted transmission of data including advertisement/graphical web objects/video segment & clip objects/sound and audio web objects/ multicolor web objects by reducing the rate of transmission of packets from source station, such as a web server to the destination that is a mobile terminal on receiving low battery power signal to preserve the terminal's power.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) US Patents 6,745,011 to Hendrickson et al.(see at least Abstract and col.7, line 60-col.8, line 38), 6,907,278 to Herle and US Publication 2002/005686 to

Naito et al. (see at least Abstract) teach determining the condition of battery in a networked client device.

(ii) Article, " Texas Instruments, Packet video Announce streaming multimedia application for TI's next-generation programmable Wireless Platform"; P R Newswire; New York; March 27, 2000 extracted fro Proquest database on Internet on 11/23/2005 discloses delivering multimedia applications and wireless broadband data services on hand-held and mobile devices without compromising battery life (see page 1, 2<sup>nd</sup> paragraph, " Unveiled last May.....digital wireless handsets".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yogesh C Garg  
Primary Examiner  
Art Unit 3625

YCG  
November 23, 2005